

## REMARKS

Applicants respectfully traverse the rejection of claims 1-7 and 10-33 under 35 U.S.C. §102(b) over U.S. Patent No. 5,771,282 ("Friedes"), at page 2 of the Office Action. Friedes discloses aggregating billing by entering a billing number in a segmentation directory (SD) 54, which cross-references each telephone number to a common account number. *See Friedes*, Col. 4, lines 24-29. All billing messages containing charges associated with the common account number are aggregated by the IXC billing system 64 in the same way that the billing system aggregates the charges associated with a single telephone number. *See Friedes*, Col. 4, lines 49-53. Thus, Friedes discloses aggregating separate charges onto a common account number or billing number. *See Friedes*, Col. 4, line 58-Col. 5, line 14.

Friedes fails to disclose or suggest shared telecommunication units used in connection with distinct services, as recited in independent claim 1. Additionally, Friedes fails to disclose or suggest an allocation of account units, as recited in independent claim 17. Moreover, Friedes fails to disclose or suggest shared minutes used in connection with a first subscriber service and a second subscriber service, as recited in independent claim 33. Thus, Friedes fails to disclose or suggest at least one element of each of the independent claims of the application.

Claims 2-7, 10-16, and 18-33 depend from independent claims 1 and 17, respectively. Thus, Friedes fails to disclose or suggest at least one element of each of the claims 2-7, 10-16, and 18-33, at least by virtue of their dependency from claims 1 and 17. Therefore, claims 1-7 and 10-33 are allowable over the cited art.

Applicants traverse the rejection of claims 8 and 9 under 35 U.S.C. §103(a) over the asserted combination of Friedes in view of U.S. Patent No. 5,844,972 ("Jagadish"), at page 5 of the Office Action. Applicants submit that instead of shared telecommunication units used in connection with distinct services, Jagadish discloses that calls made by the customer, using a calling card or prepaid card, are billed according to the customer's calling plan. *See Jagadish*, Col. 1, lines 21-36. Like Friedes, Jagadish fails to disclose or suggest shared telecommunication units used in connection with distinct services, as recited in claim 1. Thus, the asserted combination of Friedes and Jagadish fails to disclose or suggest each element of independent

claim 1. Therefore, the asserted combination of Friedes and Jagadish fails to disclose each element of claims 8 and 9, at least by virtue of their dependency from allowable independent claim 1.

Applicants note that at page 6 of the Office Action, the Examiner included a note requesting the Applicants to review additional references and asserting that said references can be used to reject all of the claims. The Examiner has failed to establish a prima facie basis for rejection over U.S. Patent No. 6,615,034 ("Alloune"), U.S. Patent Publication No. 2003/0212634 ("Alloune 2"), or U.S. Patent Publication No. 2004/0224661 ("Pericas"). However, Applicants submit that upon initial review of the references, the pending claims are allowable. Both Alloune and Alloune 2 fail to disclose or suggest shared telecommunication units, as recited in claim 1.

With regard to Pericas, Applicants' invention date pre-dates the February 28, 2003 filing date of the provisional application of Pericas. Under 37 C.F.R. §1.131(a), when any claim of an application is rejected, the inventor of the subject matter of the rejected claim may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference on which the rejection is based. According to 37 C.F.R. §1.131(b), the showing of facts shall be such, in character and weight, as to establish conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to a subsequent reduction to practice or to the filing of the application. Applicants note that no rejection has yet been made by the Examiner with respect to Pericas; however, the Office Action alleges, at page 6, that both Pericas and Alloune could be used to reject the claims under 35 U.S.C. §102(e). Therefore, an affidavit under 37 C.F.R. §1.131 is attached herewith, providing evidence of conception prior to the February 28, 2003 priority date (the effective date) of Pericas and due diligence from conception through filing of the application. Thus, Pericas is not prior art to the present application, and claims 1-33 are allowable over Pericas.

New claims 34-38 are added. Claims 34-38 are fully supported by the application as filed. No new matter is added.

Claim 34 recites an allocation of unshared account units for use of a first subscriber service, and an allocation of shared account units for use of a second subscriber service and available for use of the first subscriber service. None of the cited references disclose or suggest an allocation of unshared account units for use of a first subscriber service and an allocation of shared account units for use of a second subscriber service and the first subscriber service, as recited in claim 34. Thus, claim 34 is allowable over the cited art. Claims 35-38 depend from new independent claim 34. Therefore, claims 35-38 are allowable over the cited art, at least by virtue of their dependency from allowable independent claim 34.

### CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the claims now pending.

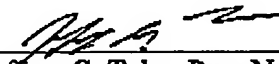
The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

12-16-2005

Date

  
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